

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NICOLE RAYFIELD v. CHEYNEY UNIVERSITY OF PENNSYLVANIA, JEFFREY JONES, and AARON WALTON	CIVIL ACTION NO. 19-3230
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ORDER

AND NOW, on this 16th day of January, 2020, after careful consideration of Defendant Cheyney University of Pennsylvania's ("Cheyney") Motion to Dismiss (ECF 13), Plaintiff's Response (ECF 14), and Cheyney's Reply (ECF 15), for the reasons stated in the accompanying Memorandum, it is hereby **ORDERED** that Cheyney's Motion to Dismiss is **GRANTED** as follows:

1. **Count II** of the Second Amended Complaint is **DISMISSED** as to Cheyney only, without prejudice, and with leave to refile in state court;
2. **Count III** of the Second Amended Complaint is **DISMISSED** without prejudice, and with leave to refile in state court; and
3. **Count IV** of the Second Amended Complaint is **DISMISSED** without prejudice, and with leave to refile in state court.

BY THE COURT:

/s/ **Michael M. Baylson**

MICHAEL M. BAYLSON, U.S.D.J.